

**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**

**Dated: September 6, 2018**



*Beth A. Buchanan*

**Beth A. Buchanan**  
**United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
AT CINCINNATI DIVISION**

**IN RE:**

**MARTINO M. WILSON**

**Debtor**

**IN PROCEEDINGS UNDER CHAPTER 13**

**CASE NO: 17-12075**

**JUDGE: BETH A. BUCHANAN**

**AMENDED AGREED ORDER REGARDING MOTION FOR RELIEF FROM STAY  
(DOC. #54)  
(6517 Greentree Drive, Cincinnati, OH 45224)**

This matter came on for consideration upon the motion of Wells Fargo Bank, N.A., ("Movant") for Relief from Stay filed on May 7, 2018 (docket #54) and a Response filed by the Debtors regarding located at 6517 Greentree Drive, Cincinnati, OH 45224 (docket #58).

The Court finds that the parties have agreed that:

1. Prior to posting of the Trustee's pending August, 2018 disbursements, Debtors are delinquent **\$5,072.24** derived through the following manner: four (4) post-petition

payments of \$1,102.18 (Apr. 2018 – July 2018) and one (1) post-petition payment of \$1,266.62 (Aug. 2018) less a suspense balance of \$603.10.

**IT IS THEREFORE ORDERED**

2. Debtors will continue making plan payments to the Chapter 13 Trustee and cure the current post-petition arrearage of \$5,072.24, and bring the loan current post-petition, over a period of six months from date this Agreed Order is entered with the Court.
3. Within thirty days of the entry of this Agreed Order, Creditor shall withdraw its Supplemental Proof of Claim (Claim 17-1) filed on July 25, 2018.
4. Failure to bring the loan current within six months of the date of entry of this Agreed Order, or failure to make future scheduled plan payments within thirty of the scheduled due date, shall constitute a default.
5. Upon the existence of a default, Movant's counsel shall send Debtors' counsel a 10-day notice of the intent to file an affidavit and order granting relief from stay.
6. If a default is not cured within that 10-day period, upon the filing of an affidavit by Movant attesting to the Debtors' default, an order shall be entered without further hearing, terminating the stay imposed by §362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns, to foreclose, repossess, replevin or otherwise execute upon its collateral which is the subject of this Agreed Order.

**IT IS SO ORDERED.**

SUBMITTED AND APPROVED BY:

/s/ Matthew Murtland

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**SERVICE TO: DEFAULT LIST**